

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN**

JEREMY WICKE, et al.	:	Case No. 3:12-cv-638-wmc
	:	
Plaintiffs,	:	<u>DEFENDANT L & C INSULATION'S</u>
	:	<u>CONSOLIDATED MOTION TO</u>
v.	:	<u>COMPEL DISCOVERY DIRECTED</u>
	:	<u>AGAINST PLAINTIFF AND MOTION</u>
L & C INSULATION, INC.	:	<u>TO COMPEL PRODUCTION OF</u>
	:	<u>SUBPOENAED DOCUMENTS</u>
Defendant.	:	<u>DIRECTED AGAINST LOCALS 19, 34,</u>
	:	<u>49 AND 127 OF THE HEAT AND</u>
	:	<u>FROST INSULATORS UNION</u>
	:	
	:	<u>AND FOR AN EXPEDITED HEARING</u>

Pursuant to Rule 37, Defendant L & C moves for an order compelling Plaintiff Jeremy Wicke to produce previously requested documents. Pursuant to Rule 45(c)(2)(B)(i), L & C further moves for an order compelling Locals 19, 34, 49 and 127 of the Heat and Frost Insulators and Allied Workers (collectively "the Unions") to produce documents previously subpoenaed from them. The documents being sought by this Motion are:

1. Un-redacted Daily Information Reports prepared by Plaintiff for the Unions during the course of his employment with Defendant.
2. Fee Agreements and Understandings Between Plaintiff and/or the Unions and Plaintiffs' counsel.

Defendant respectfully requests that this Motion be set for an expedited hearing so that it may have the benefit of the requested documents in preparing its brief in opposition to class

certification, due May 21, 2013. The basis for this Motion is set forth in the Memorandum in Support being filed herewith.

Respectfully submitted,

s/Stephen A. Watring

Stephen A. Watring (Ohio Bar No. 0007761)

DUNLEVEY, MAHAN & FURRY

110 North Main Street, Suite 1000

Dayton, Ohio 45402

Ph: (937) 223-6003

Fax: (937) 223-8550

Email: saw@dmfdayton.com

Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was hereby filed electronically this 25th day of April, 2013. Notice of this filing will be sent by operation of the Court's electronic filing system to counsel of record for all parties as indicated on the electronic filing receipt. Parties and their counsel may access this filing through the Court's system.

I further certify that a copy of the foregoing was served upon counsel for the Unions, Marianne Robbins and Yingtao Ho, 1555 N. RiverCenter Drive, #202, P.O. Box 12993, Milwaukee, WI 53212, by email and ordinary mail this 25th day of April, 2013.

s/Stephen A. Watring

Stephen A. Watring (Ohio Bar No. 0007761)